

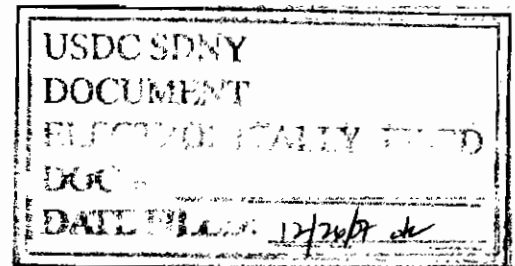
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December 19, 2007

Hon. Barbara S. Jones
Daniel Patrick Moynihan Building
United States Courthouse
500 Pearl St, Room 620
New York, NY 10007



Re: Kellogg v New York State Dept. of Corrections, etal
07 CV 2804 (BJ)(GWG)
By facsimile to 1212 805 6191

Dear Judge Jones,

I represent the plaintiff in the above matter.

I write to apologize for the delay in my response. I took ill towards the end of November with Bronchitis, tried self medication and missed almost a full week of work, returned to the office not fully recovered and have missed a day a week ever since. I am a sole practitioner. The result has put me disastrously behind.

I have spoken to Ms. Harofilis. She has graciously consented to allow me until January 4 to submit my response, with the understanding that the state will have to February 1 for a reply.

Again, I thank you for your patience and courtesy in this matter.

Thank you,

Sincerely,

Anthony M Giordano
Anthony M Giordano, Esq.

Application Granted.

CC: Maria Barous Harofilis, Esq.
By facsimile to 1212 416 6009

SO ORDERED
Dated: *12/20/07*
Barbara S. Jones
BARBARA S. JONES
U.S.D.J.